ROUTING AND RECORD SHEET

SUBJECT: (Optional)				
				Executive Registry 76 - 2553

FROM: Legislative Counsel	EXTENSION	NO.		
		DATE 15 June 1976		STATINTL

TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS	COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)
	RECEIVED	FORWARDED		
1. Director				At your pre-brief session this morning you asked about your response to Senator Hart's question about providing Congress with NIE's. Your response was a good waffle -- you certainly didn't commit yourself on it. I particularly like your last sentence.
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6.				George L. Cary Legislative Counsel
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Senator HART. But you would not go so far as to say we have to abandon our traditional values or sense of fair play.

Mr. BUSH. I would not abandon my own traditional values or sense of fair play, certainly, and I do not think we should as a Nation.

Senator HART. The principal intelligence judgments are products of the intelligence community, national intelligence estimates. They are not presently or have not been traditionally given to the Congress or congressional committees. Rather, the judgment of the intelligence community is summarized when it is given.

What would be your view on having the CIA's national intelligence estimates made available to the appropriate committee of Congress, particularly Foreign Relations and Armed Services?

Mr. BUSH. I would want to take a close look at that. I would—I am not too familiar with the totality of the national intelligence estimates, what that involves, so I am not going to commit ahead of time to what would be delivered, but certainly in terms of keeping these committees involved, keeping them involved on important matters, I would be inclined to say at this point. yes, but I would reserve the right, if I could, to at least understand the totality of what we are talking about.

I think, getting back to Senator Symington, I think there are some things that must be between the intelligence and the President and must be determined by the President, and that I would have to stand with.

Senator HART. Under present procedures, when the Congress is informed about covert operations, it is informed after the executive branch has already approved those operations. It seems to me that an alternative would be for the Director of Central Intelligence to present the proposed action to the Congress, or the appropriate committees, at the same time, simultaneously with proposing that action to the executive branch. What would your feeling be about that?

Mr. BUSH. I would oppose that.

Senator HART. On what grounds?

Mr. BUSH. On the grounds I think it is the obligation of the President to determine the covert activities and I would say after plenty of adequate consultation with the NSC and representatives of the intelligence community, but I think he must make that decision and I do not think it ought to be a joint decision and I think it might be a joint decision if it were done in the manner you suggest.

Senator HART. So the only way to prevent the Congress from vetoing a decision is to just not let them know.

Mr. BUSH. There are things in intelligence, Senator Hart, that I think have to be kept confidential, but that is not to say they should not be disclosed to Congress and that is not to say Congress should not be fully informed at the appropriate time. The law specifically, as I understand it—the amendment specifies they shall be informed and I will do my best to inform them but before a foreign policy decision is made. I do not think that there has to be a group decision on that. I think that is what the Presidents are elected to do.

Senator HART. Well, one, information does not presume decision. Nor does it presume disclosure.

Mr. BUSH. I did not suggest, sir, that it meant disclosure.